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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,419	07/23/2003	Pierre Lebee	15437-0621	9857

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EXAMINER	
IQBAL, NADEEM	
ART UNIT	**PAPER NUMBER**
2114	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/626,419	LEBEE ET AL.	
	Examiner	Art Unit	
	Nadeem Iqbal	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1- are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al., (U.S. Patent number 5642478).

3. As per claim 1, Chen et al., (Chen) teaches (col. 5, lines 42-45) a distributed multimode system, a dedicated captures circuit for capturing event data under software control within each node. The captured data is stored for analysis or transfer in several variable length trace data buffers in the node processor memory. He thus teaches a debugging system for receiving data from a debug operation comprising a reserved memory comprising a plurality of portions, and log management component for recording received data of a debug operation. He also teaches (col. 5, lines 53-55) the collection and assembly of trace data entries from throughout the distributed system for debugging local hardware and software. He also teaches (col. 8, lines 32-35) regular transfers of trace data into nonvolatile memory storage within distributed system. He thus teaches a mass memory.

4. As per claim 2, With reference to limitations pertain to log management component for copying data from at least a partially filled portion of the plurality of portions of the memory to the mass memory in response to a drain condition. He teaches (col. 8, lines 32-36) that local

memory space is limited and requires a regular transfers of trace data buffer contents into nonvolatile memory.

5. As per claim 3, With reference to the drain condition comprises a filing threshold. He teaches (col. 8, lines 30-33, col. 11, lines 6-8).

6. As per claim 4, With reference to filling threshold comprises a predetermined number of the portions of the reserved memory filled with the data. He teaches (col. 9, lines 29-32).

7. As per claim 5, With reference to the predetermined number of the portions of the reserved memory is one. He teaches (col. 8, lines 63-65).

8. As per claim 6, With reference to executing the copying responsive to a request of user. He teaches (col. 8, lines 42-45).

9. As per claim 7, With reference to executing the recording and the copying in concurrently. He teaches (col. 8, lines 30-35).

10. As per claim 8, With reference to a portion of the plurality of portions of the reserved memory comprises a plurality of sub portions of the reserved memory. He teaches (col. 8, lines 63-65, col. 9, lines 5-8).

11. As per claim 9, With reference to a sub-portion of memory comprises a number of data values to store at a given time. He teaches (col. , lines 3-7).

12. As per claims 10 & 11, With reference to the number of data values is determined by a user so as to enable recording of particular data in a sub-portion. He teaches (col. 8, lines 43-45).

13. As per claim 12, Chen teaches (col. 5, lines 42-45) a distributed multimode system and method, a dedicated captures circuit for capturing event data under software control within each node. The captured data is stored for analysis or transfer in several variable length trace data

buffers in the node processor memory. He also teaches (col. 7, lines 39-42) node memory space may be embodied as several banks of fast memory. He thus teaches a method comprising receiving data from a debug operation comprising a reserved memory comprising a plurality of portions, and log management component for recording received data of a debug operation. He also teaches (col. 5, lines 53-55) the collection and assembly of trace data entries from throughout the distributed system for debugging local hardware and software. He also teaches (col. 8, lines 43-46) internode message transfer tracing may require node identification information, logical port number, and internal user identification information. He also teaches (col. 8, lines 32-35) regular transfers of trace data into nonvolatile memory storage within distributed system. He thus teaches a mass memory.

14. As per claim 13, With reference to limitations pertain to copying data from at least a partially filled portion of the plurality of portions of the memory to the mass memory in response to a drain condition. He teaches (col. 8, lines 32-36) that local memory space is limited and requires a regular transfers of trace data buffer contents into nonvolatile memory.

15. As per claim 14, With reference to recording and copying the data is performed concurrently to the receiving the data. He teaches (col. 8, lines 30-33, col. 11, lines 6-8).

16. As per claim 15, With reference drain condition comprises a filling threshold. He teaches (col. 9, lines 29-32).

17. As per claim 16, With reference to the predetermined number of the portions of the reserved memory is one. He teaches (col. 8, lines 63-65).

18. As per claim 17, With reference to the predetermined number of the portions of the reserved memory is one. He teaches (col. 8, lines 63-65).

19. As per claim 18, With reference to executing the copying responsive to a request of user. He teaches (col. 8, lines 42-45).

20. As per claim 19, With reference to executing the recording and the copying in concurrently. He teaches (col. 8, lines 30-35).

21. As per claim 20, With reference to a portion of the plurality of portions of the reserved memory comprises a plurality of sub-portions of the reserved memory. He teaches (col. 8, lines 63-65, col. 9, lines 5-8).

22. As per claim 21, With reference to a sub-portion of memory comprises a number of data values to store at a given time. He teaches (col. , lines 3-7).

23. As per claims 22-24, With reference to the number of data values is determined by a user so as to enable recording of particular data in sub-portion. He teaches (col. 8, lines 43-45, col. 8, lines 63-66).

24. As per claim 25, Chen teaches (col. 5, lines 42-45) a distributed multimode system, a dedicated capture circuit for capturing event data under software control within each node. The captured data is stored for analysis or transfer in several variable length trace data buffers in the node processor memory. He thus teaches a debugging system for receiving data from a debug operation comprising a reserved memory comprising a plurality of portions, and log management component for recording received data of a debug operation. He also teaches (col. 5, lines 53-55) the collection and assembly of trace data entries from throughout the distributed system for debugging local hardware and software. He also teaches (col. 8, lines 32-35) regular transfers of trace data into nonvolatile memory storage within distributed system. He thus teaches a copying the data fro at least a partially filled portion to a mass memory. He further teaches (col. 8, lines

32-36) that local memory space is limited and requires a regular transfers of trace data buffer contents into nonvolatile memory.

25. As per claim 26, With reference to designating a particular portion of the plurality of memory portions for recording the data. He teaches (col. 8, lines 42-45).

26. As per claim 27, With reference to limitations pertain to copying data from at least a partially filled portion of the plurality of portions of the memory to the mass memory in response to a drain condition. He teaches (col. 8, lines 32-36) that local memory space is limited and requires a regular transfers of trace data buffer contents into nonvolatile memory.

27. As per claim 28, With reference to the drain condition comprises a filing threshold. He teaches (col. 8, lines 30-33, col. 11, lines 6-8).

28. As per claim 29, With reference to filling threshold comprises a predetermined number of the portions of the reserved memory filled with the data. He teaches (col. 9, lines 29-32).

29. As per claim 30, With reference to the predetermined number of the portions of the reserved memory is one. He teaches (col. 8, lines 63-65).

30. As per claim 31, With reference to executing the copying responsive to a request of user. He teaches (col. 8, lines 42-45).

31. As per claim 32, With reference to executing the recording and the copying in concurrently. He teaches (col. 8, lines 30-35).

32. As per claim 33, With reference to a portion of the plurality of portions of the reserved memory comprises a plurality of sub-portions of the reserved memory. He teaches (col. 8, lines 63-65, col. 9, lines 5-8).

33. As per claim 34, With reference to a sub-portion of memory comprises a number of data values to store at a given time. He teaches (col. , lines 3-7).

34. As per claims 35-37, With reference to the number of data values is determined by a user so as to enable recording of particular data in a sub-portion. He teaches (col. 8, lines 43-45).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (571)-272-3659. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571)-272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nadeem Iqbal
Primary Examiner
Art Unit 2114

NI